

Amendment No. 1 to SB0751

**Yager
Signature of Sponsor**

AMEND Senate Bill No. 751

House Bill No. 780*

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 6-58-104(d), is amended by deleting subdivision (1) in its entirety, substituting the following, and renumbering the remaining subdivision accordingly:

(1) A growth plan may be amended as often as deemed necessary by the county and municipalities. The mayor of any municipality in the county or the county mayor may propose an amendment to the growth plan by filing notice with the county mayor and with the mayor of each municipality in the county. Upon receipt of such notice, the county mayor shall take appropriate action to reconvene or reestablish the coordinating committee within sixty (60) days of the receipt of the notice. An amendment retracting an urban growth boundary and affecting only the municipality proposing it shall not require the county mayor to reconvene or reestablish the coordinating committee but shall be submitted to the county legislative body and to the governing body of the municipality proposing it for their approval or disapproval within six (6) months of the date the county mayor receives notice of the amendment.

(2) After July 1, 2016, the county mayor shall take appropriate action to reconvene or reestablish the coordinating committee at least once every five (5) years to review and revise or readopt the growth plan. After July 1, 2018, eligibility for the loan and grant programs listed in § 6-58-110 shall lapse for those counties and municipalities with growth plans that are more than five (5) years old. This subdivision (d)(2) shall not apply in any county having a population according to the most recent decennial census

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that is within five percent (5%) and two thousand five hundred (2,500) of its population in the preceding decennial census; however, the county mayor of any such county shall take appropriate action to reconvene or reestablish the coordinating committee within one (1) year of each future decennial census to review and revise or readopt the growth plan within three (3) years of such census; otherwise, eligibility for the loan and grant programs listed in § 6-58-110 shall lapse.

(3) Except as provided for in subdivision (d)(1), the procedures for amending the growth plan shall be the same as the procedures in this section for establishing the original plan. The burden of proving the reasonableness and necessity of the proposed amendment shall be upon the party proposing the change. It is the duty of the coordinating committee to submit the proposed amendment with its recommendation either for or against the amendment to the county legislative body and to the governing body of each municipality within the county for their approval or disapproval within six (6) months of the date of the coordinating committee's first meeting on the proposed amendment. After the proposed amendment is approved by the county legislative body, the governing body of each municipality, and the local government planning advisory committee, the amendment shall become part of the county's growth plan.

SECTION 2. Tennessee Code Annotated, Section 6-58-114(b), is amended by adding the following language after the first sentence:

Such interlocal agreement may designate the coordinating committee established under § 6-58-104 as the joint economic and community development board; provided, that the board must comply with all requirements set forth in this section.

SECTION 3. Tennessee Code Annotated, Section 6-58-114(f), is amended by deleting the language “The board shall meet, at a minimum, four (4) times annually” and substituting instead the language “The board shall meet as often as necessary; provided, that it meets at least once annually”.

SECTION 4. Tennessee Code Annotated, Section 6-58-114, is amended by adding the following as a new, appropriately designated subsection:

The board may assume the powers and authority granted to an industrial development corporation under title 7, chapter 53, by agreement of all the municipalities, as defined in § 7-53-101, in the county and by meeting the requirements of § 7-53-104. Notwithstanding anything in title 7, chapter 53, to the contrary, in the event of a conflict, this chapter shall control.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.